

COMMONWEALTH OF MASSACHUSETTS

TOWN OF BOURNE

TRANSCRIPT OF A

SPECIAL TOWN MEETING

HELD ON MONDAY, OCTOBER 24, 2022

TRANSCRIPT of a SPECIAL TOWN MEETING before
Amy Kullar, Moderator, taken by Linda L. Wesson,
Certified Verbatim Reporter and Notary Public in and
for the Commonwealth of Massachusetts, at the Bourne
High School Auditorium, 75 Waterhouse Road, Bourne,
Massachusetts, commencing at 7:00 p.m.

* * * * *

CANAL COURT REPORTING
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A P P E A R A N C E S

Madam Amy Kullar, Moderator

Mr. Barry Johnson, Town Clerk

Ms. Marlene McCollem, Town Administrator

BOARD OF SELECTMEN:

Peter J. Meier, Chairman

Judith MacLeod-Froman, Vice Chair

Jared P. MacDonald

George G. Slade, Jr.

Mary Jane Mastrangelo

FINANCE COMMITTEE MEMBERS:

Renee Gratis, Chair

Amanda Bongiovanni, Vice Chair

James Sullivan, Clerk

Katherine Jones

Thomas Joyce

Richard Lavoie

Kathleen LeGacy

Arthur Wayne Sampson

William Towne

PLANNING BOARD

Daniel Doucette, Chairman

Jeanne Azarovitz

Elizabeth Brown, Vice-Chair

Sandra Goldstein

David O'Connor, Clerk

Pat Nemeth

Amanda Wing

Christopher Farrell

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1 **SPECIAL TOWN MEETING**

2 (Meeting convened at 7:35 p.m.)

3 MODERATOR AMY KULLAR: Having
4 reached the date and hour designated in the
5 Selectmen's Warrant for the October 24,
6 2022, Special Town Meeting, I hereby call
7 the meeting to order. Yay!

8 THE AUDIENCE: (Applause.)

9 MODERATOR AMY KULLAR: Thank you,
10 everyone, for showing up tonight. My name
11 is Amy Kullar, and I am the Bourne Town
12 Meeting Moderator.

13 Mr. Town Clerk, Barry Johnson, how
14 many voters have been checked into the
15 meeting?

16 CLERK BARRY JOHNSON: One hundred
17 and twenty-five.

18 MODERATOR AMY KULLAR: He responds
19 125 registered voters. I declare there is a
20 quorum present.

21 (Quorum present.)

22 Madam Stenographer, please note
23 for the record that -- oh, no. Mr. Town
24 Clerk, has the Special Town Meeting Warrant

1 been duly posted as required by law?

2 CLERK BARRY JOHNSON: Yes, it has.

3 MODERATOR AMY KULLAR: Madam
4 Stenographer, please note for the record
5 that the Town Clerk responds that the
6 Warrant has been duly posted.

7 Please silence your cell phones
8 and other electronic devices.

9 And I'm going to ask you now to
10 please stand and remain standing until I ask
11 you to take your seats. Thank you. Please
12 join me in reciting the Pledge of
13 Allegiance.

14 (Pledge of Allegiance.)

15 MODERATOR AMY KULLAR: Let us also
16 offer a special moment of silence for our
17 brave men and woman who serve our nation in
18 the military, public safety, and intelligent
19 services at home and abroad. And, also, for
20 those Town employees who have passed away
21 since last Town Meeting.

22 (Moment of silence.)

23 MODERATOR AMY KULLAR: Thank you.
24 Please be seated.

1 Tonight, I have two Deputy
2 Moderators. I have appointed Wendy Weston
3 as the first Deputy Moderator. Wendy is
4 seated in front of the stage. If you need
5 help with a motion or other matter, please
6 get Wendy's attention. I've also asked John
7 Fuller to be the second Deputy Moderator
8 tonight.

9 I have appointed Sergeant Mulligan
10 as sergeant-at-arms.

11 So, seated in front of you tonight
12 on the stage are the Finance Committee, the
13 Town Clerk, Town Counsel, Town
14 Administrator, Finance Director, and the
15 Board of Selectmen. I reserved the front
16 row of seating in the auditorium for members
17 of the Planning Board.

18 Does everyone have a Voter
19 Handbook? If not, please raise your hand
20 and someone will bring you one. Does every
21 registered voter have an electronic voting
22 device? If not, please raise your hand, and
23 a teller will bring you one.

24 I'm going to take just a moment

1 now to explain the electronic voting system.
2 When you checked in, you were given a
3 handset. That handset is for voting, and it
4 is issued to you and only you. Using a
5 handset issued to someone else is strictly
6 forbidden. Before each vote, I will
7 summarize the motion or amendment being
8 decided. I will then announce the beginning
9 of a 30-second interval during which you
10 will vote via your handset.

11 To vote "Yes," you press the green
12 button, and to vote "No," you press the red
13 button. If you accidentally push the wrong
14 button, you can switch your vote by pressing
15 the correct button. If you don't want to
16 participate in a vote, don't push any
17 buttons.

18 When the 30-second voting interval
19 is over, I will announce that voting is
20 complete. Shortly thereafter, I will
21 announce the results of the vote.

22 Now, if you temporarily leave your
23 seat and exit the auditorium, but please
24 come back, please leave your handset with

1 the exit desk staff at the rear. They will
2 label your handset with your name and
3 reissue it when you return to the
4 auditorium. When leaving the auditorium at
5 the conclusion of business this evening,
6 please make sure to place your handset in
7 one of the bins at the exit desk.

8 So now we are going to do a brief
9 practice vote to make sure that everyone
10 here is comfortable with operating your
11 handset. Please remember that green's for
12 "Yes," and red for "No."

13 All right. The first question
14 this Town Meeting will be voting on tonight
15 is, "Will the Patriots win the Superbowl
16 this season?" Green for "Yes"; red for
17 "No." Please vote.

18 (Voting in progress.)

19 MODERATOR AMY KULLAR: Voting is
20 now closed. All right. We're going to have
21 to let the Patriots know that 34 voters
22 thought "No," they will not win the
23 Superbowl, and only 9 of you said, "Yes."

24 I am informed by the Board of

1 Selectmen that if this Town Meeting does not
2 conclude this evening that it is their
3 intention to move that it recess and
4 reconvene here tomorrow evening at 7 p.m.
5 (Laughter.)

6 This Town Meeting is governed by
7 Robert's Rules of Order as interpreted by
8 the book *Town Meeting Time*. I will not read
9 all of the Moderator's usual instructions,
10 which are detailed in your Voter Handbook.
11 I will address parliamentary matters as they
12 arise during the course of the meeting.

13 The rules for debate at this Town
14 Meeting are printed in your handbook in the
15 ABC section. When an article is called and
16 you intend to speak on that article, please
17 leave your seat and come down to the front
18 near one of the two microphones so that I
19 may recognize you. Please speak only to the
20 motion on the floor. Do not be repetitive,
21 be concise, and to the point.

22 One thing that I will absolutely
23 not tolerate are personal attacks or other
24 similar behavior from a speaker. You will

1 be declared out of order, and in accordance
2 with Massachusetts law, you may be removed
3 from the meeting by the sergeant-at-arms and
4 confined until the conclusion of the
5 session.

6 Town Meeting is being televised
7 and videotaped for later televising on the
8 local Comcast Cable Access Channel. As I
9 stated before, there is a stenographer
10 keeping an official written transcript of
11 the proceedings.

12 As a matter of long-time custom
13 within the Town of Bourne, it is solely
14 within the Moderator's discretion to allow
15 nonvoters to address the Town Meeting. If
16 anything interferes with your ability to
17 hear, speak, or participate in the Town
18 Meeting to your satisfaction, you may
19 interrupt the meeting by calling on me and
20 declaring a point of personal privilege, and
21 your concern will be heard and, hopefully,
22 addressed. If you need to speak from your
23 seat, please get my attention, and we will
24 get you a portable microphone.

1 At this time, I'll entertain a
2 motion that this meeting dispense with the
3 reading of the Warrant and of the
4 Constable's return of service on that
5 Warrant, and that the Moderator not be
6 required to read resolutions or Warrant
7 articles verbatim but may refer to them
8 instead by article number and/or page in the
9 Voter Handbook.

10 SELECTBOARD CHAIR PETER MEIER: So
11 moved.

12 MS. AMANDA BONGIOVANNI: Second.

13 MODERATOR AMY KULLAR: I have a
14 motion and a second. We're going to do this
15 one by voice. All those in favor, please
16 say, "Aye."

17 THE AUDIENCE: Aye.

18 MODERATOR AMY KULLAR: Opposed?
19 Hearing none, I declare it was unanimous.

20 (Motion carried.)

21 I am informed also by the Board of
22 Selectmen that there is a Bourne Rule
23 Resolution. This resolution is printed in
24 your handbook on page 62. Peter Meier, Mr.

1 Chair of the Board of Selectmen, I'll
2 entertain your motion to adopt the
3 Proposition 2-1/2 resolution as printed in
4 the voter handbook on page 62.

5 SELECT BOARD CHAIR PETER MEIER:

6 So moved.

7 MS. AMANDA BONGIOVANNI: Second.

8 MODERATOR AMY KULLAR: I have a
9 motion and a second. Any discussion? All
10 those in favor, please indicate by saying
11 "Aye."

12 THE AUDIENCE: Aye.

13 MODERATOR AMY KULLAR: Opposed?
14 Hearing none. I declare the motion passes.
15 I declare it was unanimous.

16 (Motion carried.)

17 MODERATOR AMY KULLAR: This
18 question is directed to the Finance
19 Committee Chair and Board of Selectmen
20 Chair. If all of the recommended articles
21 in the Special Town Meeting that require
22 raising and appropriating funds are passed,
23 will the Town be at their maximum levy
24 limit?

1 FINANCE CHAIR RENEE GRATIS: Yes.

2 SELECT BOARD CHAIR PETER MEIER:

3 Yes.

4 MODERATOR AMY KULLAR: They both
5 respond in the affirmative.

6 I am informed by the Town
7 Administrator in accordance with Section
8 1.1.9 of the Town Bylaws, there are articles
9 which the Selectmen and the Finance
10 Committee have each voted are essential to
11 the exercise of the Town's corporate
12 function. These Articles 2, 3, 5, 6, 11.
13 All other articles of the Special Town
14 Meeting will be drawn by lottery.

15 Thank you for your patience in
16 getting through my announcements. We will
17 now move on to the articles of this Special
18 Town Meeting.

19 **ARTICLE 2**

20 MODERATOR AMY KULLAR: The first
21 essential article, Article 2, is printed on
22 Page 11 of the Voter Handbook. Does the
23 Finance Committee have a positive motion on
24 Article 2?

1 MS. KATHARINE JONES: Yes, Madam
2 Moderator, we do.

3 MODERATOR AMY KULLAR: I recognize
4 Katharine Jones. Do we have a second?

5 MS. AMANDA BONGIOVANNI: Second.

6 MODERATOR AMY KULLAR: Okay. I'm
7 sorry, motion first. Go ahead.

8 MS. KATHARINE JONES: We move that
9 the Town vote to amend the action taken
10 under Article 2, Fiscal 2023 Budget, of the
11 2022 Annual Town Meeting by, one,
12 appropriating monies in the total amount of
13 \$458,784 as specified in the chart entitled
14 "Funding Sources" below, and, two, by
15 increasing expenses by \$558,784 (sic) as
16 specified in the chart entitled "These
17 Amounts to be voted."

18 The Funding Sources, to raise and
19 appropriate from the FY22 Tax Levy and other
20 General Revenues from the Town in the amount
21 of \$258,784, and from the Ambulance Fund,
22 200,000, for a total of \$458,784. The
23 amounts to be voted are for General
24 Government and 65,300; Public Safety

1 352,994; Public Works, 10,490, and Shared
2 Costs 30,000 for a total of \$458,784.

3 MS. AMANDA BONGIOVANNI: Second.

4 MODERATOR AMY KULLAR: You have
5 the floor.

6 MS. KATHARINE JONES: Thank you.
7 This article provides additional funding in
8 the amount of \$458,784 from the FY22 Tax
9 Levy and other general revenues, which is
10 needed for the FY23 Operating Budget. The
11 details of which are on page 30 in your
12 Voter Handbook.

13 A "Yes" vote in favor of this
14 motion increases the Fiscal Year 2023
15 Operating Budget to allow the proposed
16 adjustments.

17 A "No" or "Nay" vote opposed to
18 the motion keeps the budget as it was voted
19 in May, and there would be not sufficient
20 funds in the budget lines to cover these
21 expenses.

22 The Finance Committee voted
23 unanimously 8-0-0 to recommend approval of
24 this article with a "Yes" or "Aye" vote in

1 favor of this motion.

2 The Board of Selectmen voted
3 unanimously 4-0-0 to recommend approval of
4 this article.

5 MODERATOR AMY KULLAR: Thank you.
6 Is there any discussion on Article 2?
7 Seeing none. We will move to a vote on
8 Article 2. This vote requires a simple
9 majority. Does everyone have their handheld
10 device? All right. Begin voting now.
11 Green for "Yes"; red for "No."

12 (Voting in progress.)

13 MODERATOR AMY KULLAR: Voting is
14 now closed.

15 I declare the motion of the
16 Finance Committee has passed with 98 voting
17 in favor, 3 voting in opposition.

18 (Article 2 passed.)

19 **ARTICLE 3**

20 MODERATOR AMY KULLAR: The next
21 article, Article 3, on page 12 of your
22 handbook, requires a simple majority vote.
23 Does the Finance Committee have a positive
24 motion?

1 MR. THOMAS JOYCE: Yes, Madam
2 Moderator, we do.

3 MODERATOR AMY KULLAR: I recognize
4 Thomas Joyce.

5 MR. THOMAS JOYCE: We move that
6 the Town vote to amend the action taken
7 under Article 3, Sewer Budget, of the 2022
8 Annual Town Meeting by increasing expenses
9 by \$32,500 from \$1,095,110 to \$1,127,610,
10 and increase the amount raised from Sewer
11 Enterprise Receipts from \$1,414,138 to
12 \$1,446,638.

13 MS. AMANDA BONGIOVANNI: Second.

14 MODERATOR AMY KULLAR: You have
15 the floor.

16 MR. THOMAS JOYCE: This article
17 allows for an increase in the Sewer
18 Department expenses for Electricity and Debt
19 Service in the amount of \$32,500. The
20 electricity bills have come in higher than
21 expected, and the budgeted amount is being
22 increased to reflect the anticipated
23 changes.

24 In addition to that, Bourne's

1 share of the Environmental Quality Catch
2 Basins at Wareham will be coming online in
3 Fiscal Year 2023.

4 A "Yes" vote in favor of the
5 motion increases the Fiscal Year 23 Sewer
6 Enterprise Budget to allow the proposed
7 adjustments.

8 A "No" vote opposed to the motion
9 keeps the Sewer Enterprise Budget as it was
10 voted in May and there would not be insuff
11 -- there would not be sufficient funds in
12 the budget lines to cover these expenses.

13 The Finance Committee voted
14 unanimously 8-0-0 to recommend approval of
15 this article.

16 The Board of Selectmen voted
17 unanimously 4-0-0 to recommend approval of
18 this article.

19 MODERATOR AMY KULLAR: Thank you.
20 Is there any discussion on Article 3?
21 Hearing none. We will move to a vote on
22 Article 3. This vote requires a simple
23 majority.

24 Please take your handheld device

1 and voting is now open. Green for "Yes";
2 red for "No."

3 (Voting in progress.)

4 MODERATOR AMY KULLAR: Voting is
5 now closed.

6 I declare the motion of the
7 Finance Committee is passed with 100 voting
8 in favor and 3 in opposition.

9 (Article 3 passed.)

10 **ARTICLE 5**

11 MODERATOR AMY KULLAR: Article 5
12 on page 14 of your handbook requires a
13 simple majority vote. Does the Finance
14 Committee have a positive motion?

15 DR. WILLIAM TOWNE: Yes, we do,
16 Madam Moderator.

17 MODERATOR AMY KULLAR: I recognize
18 Dr. William Towne.

19 DR. WILLIAM TOWNE: The motion, we
20 move the Town vote to appropriate the sum of
21 150,000 for the purposes of this article,
22 and to meet this appropriation to transfer
23 the sum of 150,000 from Free Cash.

24 MS. AMANDA BONGIOVANNI: Second.

1 MODERATOR AMY KULLAR: You have
2 the floor.

3 DR. WILLIAM TOWNE: Thank you, Mr.
4 Moderator. This article talks to
5 Compensated Absences. Compensated Absences
6 is a term used to describe the obligation to
7 pay for comp time, vacation time, or sick
8 time when staff retires or resigns or moves
9 on contractually. This is generally carried
10 over and replenished from -- has in the past
11 for the purpose of this article is to
12 replenish funds for the unexpected items
13 that come up.

14 A "Yes" or "Aye" vote in favor of
15 the motion increases the funding available
16 in the Compensated Absences article in order
17 to meet the Town's obligation for paying
18 employees for accrued time, sick, vacation,
19 at time of separation either by resignation
20 or retirement.

21 A "Nay" or "No" vote opposes the
22 motion would not provide additional funds
23 that are necessary for the Town to meet its
24 contractual obligations under Collective

1 Bargaining Agreements or other employment
2 contracts.

3 The Finance Committee voted
4 unanimously 8-0-0 to recommend approval of
5 this article.

6 The Board of Selectmen voted
7 unanimously 4-0-0 to recommend the approval
8 of this article.

9 MODERATOR AMY KULLAR: Thank you.
10 Is there any discussion on Article 5?
11 Seeing none. We will move to a vote on
12 Article 5. This vote requires a simple
13 majority.

14 Using your handheld device, you
15 may begin voting now. Green for "Yes"; red
16 for "No."

17 (Voting in progress.)

18 MODERATOR AMY KULLAR: Voting is
19 now closed.

20 I declare the motion of the
21 Finance Committee has passed with 96 voting
22 in favor and 6 in opposition.

23 (Article 5 passed.)
24

ARTICLE 6

MODERATOR AMY KULLAR: The next article that we will be dealing with is Article 6 on page 15 of your handbook, which requires a two-thirds majority. Does the Finance Committee have a positive motion?

MR. JAMES SULLIVAN: Yes, we do, Madam Moderator.

MODERATOR AMY KULLAR: Thank you. I recognize James Sullivan.

MR. JAMES SULLIVAN: We move that the Town vote to appropriate \$215,000 to pay costs of the Capital Outlay projects listed in the schedule printed below, and to meet this appropriation to, one, transfer the sum of \$165,000 from Free Cash, and, two, transfer the sum of \$50,000 from the Climate Resiliency and Infrastructure Stabilization Fund.

The items are under the department of Engineering, category Planning, the purpose Sagamore Beach Access Ramp, \$50,000, debt source is the

1 Climate Resiliency and
2 Infrastructure Stabilization Fund;

3 The next is under
4 Engineering, category
5 Transportation, the purpose is a
6 vehicle to be shared with the
7 Conservation Department; the cost
8 is \$40,000 to be funded by Free
9 Cash;

10 The next is Engineering
11 department, category Planning,
12 purpose Stormwater Improvement
13 Projects in the amount of \$30,000,
14 to be funded by Free Cash;

15 The next is Police, category
16 Transportation, purpose is
17 Undercover Vehicle, cost 45,000 to
18 source -- \$45,000, source, Free
19 Cash; and

20 Finally, department of Public
21 Works, category Infrastructure,
22 Lighting at Queen Sewell
23 Pond/Park, \$50,000, source Free
24 Cash.

1 CHAIR RENEE GRATIS: Total.

2 MR. JAMES SULLIVAN: Oh, for a
3 total of \$215,000.

4 MS. AMANDA BONGIOVANNI: Second.

5 MODERATOR AMY KULLAR: You have
6 the floor.

7 MR. JAMES SULLIVAN: Thank you.
8 So, Capital Outlay is defined as money
9 that's spent to maintain, upgrade, acquire,
10 or repair capital assets. The Capital
11 Outlay Committee meets and deliberates on
12 merits of capital projects requests from
13 Town departments and makes recommendations
14 as to which projects should be funded in the
15 upcoming budget year.

16 A "Yes" or "Aye" vote in favor of
17 the motion would approve funding for the
18 Capital Outlay Expenses recommended by the
19 Capital Outlay Committee.

20 A "No" or "Nay" vote opposed to
21 the motion would not provide the recommended
22 funding and the projects would not move
23 forward and the necessary equipment would
24 not be purchased.

1 The Finance Committee voted
2 unanimously 8-0-0 to recommend approval of
3 this article.

4 The Board of Selectmen voted
5 unanimously 4-0-0 to recommend approval of
6 this article.

7 MODERATOR AMY KULLAR: Thank you.
8 Is there any discussion on Article 6?
9 Seeing none, we will move to a vote on
10 Article 6. This vote requires a two-thirds
11 majority.

12 Using your handheld device, you
13 may begin voting now.

14 (Voting in progress.)

15 MODERATOR AMY KULLAR: Voting is
16 now closed.

17 I declare the motion of the
18 Finance Committee has passed with 102 in
19 favor and 6 in opposition.

20 (Article 6 passed.)

21 **ARTICLE 11**

22 MODERATOR AMY KULLAR: Article 11
23 is on page 12 of your handbook requires a
24 two-thirds majority vote. Does the Finance

1 Committee have a positive motion?

2 MR. RICHARD LAVOIE: Yes, we do,
3 Madam Moderator.

4 MODERATOR AMY KULLAR: I recognize
5 Rich Lavoie.

6 MR. RICHARD LAVOIE: We move that
7 the Town appropriates \$5,000,000 to pay
8 costs of energy efficiency improvements to
9 facilities throughout the Town to be made
10 pursuant to an Energy Services Agreement
11 Contract -- Services Contract (ESCO) between
12 the Town and the TRANE Corporation, and that
13 to meet this appropriation, the Selectmen
14 are authorized to raise said amount by
15 entering into a lease-purchase financing
16 agreement with Banc of America Public
17 Capital Corporation, or one of its
18 affiliates, including the execution and
19 delivery of any and all other agreements,
20 certificates, and instruments incidental and
21 related thereto, under and pursuant to
22 M.G.L., Mass. General Law, Chapter 44,
23 Section 21C, or any other enabling
24 authority, or by borrowing said amount under

1 and pursuant to Mass. General Law, Chapter
2 44, Subsection 7(1), or any other enabling
3 authority, and issuing bonds or notes of the
4 Town therefor or through any combination
5 thereof.

6 MS. AMANDA BONGIOVANNI: Second.

7 MODERATOR AMY KULLAR: You have
8 the floor.

9 MR. RICHARD LAVOIE: Thank you,
10 Madam Moderator. This is a detailed motion
11 and takes some time and thought to grasp it
12 all, obviously. The proposed improvements
13 can be found on Appendix A5 beginning on
14 page 40 of the Voter Handbook. This type of
15 financing, although new to this Town,
16 according to the Town Administrator as part
17 of the Town's due diligence has been
18 successfully utilized by many other
19 communities.

20 This will be a debt obligation for
21 the Town; however, it does not reduce the
22 Town's total overall bonding capacity. What
23 is needed to appropriate the \$5,000,000 to
24 cover the total cost of the improvements.

1 The money will be held by the
2 lender in an escrow account. As work is
3 completed, TRANE will request payment from
4 the lender. The lender will send the
5 requested amount to the Town. If the Town
6 agrees and is satisfied the work is properly
7 done, the Town will make payment to the
8 TRANE Corporation.

9 Passage of this article will allow
10 for the completion of a number of
11 improvements to a cross-section of Town
12 facilities, both school and general
13 municipal buildings. There should be
14 substantial energy savings that TRANE has
15 guaranteed which will offset some of the
16 cost of the borrowing. Passage of this
17 article will not prevent the Town from
18 borrowing for essential repairs to other
19 municipal buildings.

20 The Town Administrator along with
21 the Town's financial professionals and other
22 staff have put a great deal of effort into
23 vetting this proposal and researching its
24 value to the Town.

1 Approval of this article will
2 allow for the completion of work without
3 bidding each individual project. This will
4 save countless hours of detailed
5 administrative time for the limited Town
6 Hall staff. It is permitted by state law as
7 mentioned in the motion.

8 TRANE is a well-established
9 company with a positive history of
10 performance. We have all heard of world-
11 wide supply chain issues. TRANE works
12 nationwide and, in fact, worldwide dealing
13 with these issues and has access to products
14 and markets that are well established.

15 The Select Board has voted 4 in
16 favor, no opposed, and no abstentions to
17 recommend this article.

18 The Finance Committee after
19 lengthy discussions with the Town
20 Administrator and staff in a properly posted
21 public meeting voted 8 in favor, none
22 opposed, and no abstentions to support this
23 article.

24 MODERATOR AMY KULLAR: Thank you.

1 Is there any discussion on Article 11?
2 Please approach the podium if you have any
3 questions. Please state your name for the
4 record.

5 MR. ANDREW COONEY: Andrew Cooney,
6 Monument Beach.

7 MODERATOR AMY KULLAR: Thank you.

8 MR. ANDREW COONEY: Did you get
9 that; Andrew Cooney? I just would like a
10 little bit more explanation as to the
11 statement, "If the Town is satisfied with
12 the repairs, the Town will pay the requested
13 funds."

14 MODERATOR AMY KULLAR: Sure.

15 MR. ANDREW COONEY: Who is going
16 to make the determination on being satisfied
17 with the work?

18 MODERATOR AMY KULLAR: Thank you.
19 Town Administrator Marlene McCollem is going
20 to answer those questions.

21 ADMINISTRATOR MARLENE MCCOLLEM:
22 Thank you. So, on the Town side, the
23 Facilities Department and, ultimately,
24 myself will have to be satisfied that the

1 work has been completed per the
2 specifications. On the school side, it will
3 funnel up through the chain of command to
4 the school superintendent. So my staff and
5 I on the Town side; the school
6 superintendent and her staff on the school
7 side would, ultimately, receive word that
8 the work has been completed appropriately.

9 MR. ANDREW COONEY: Okay. Thank
10 you. And who -- is there arrangements for
11 professional consultants to do quality
12 assurance to make sure this is going to
13 happen?

14 ADMINISTRATOR MARLENE MCCOLLEM:
15 So, the way that this procurement works
16 under these general laws, is that TRANE
17 actually serves as the designer and the
18 installer, so we will not be working in a
19 situation where we have an independent
20 owner's project manager. So, TRANE will
21 have to certify using their design stamps
22 that their professionals are certifying that
23 the work is correct.

24 MR. ANDREW COONEY: One more

1 question. So within -- I reviewed a little
2 bit of the proposal from TRANE that was
3 available online. There was some section in
4 there with regard to the school system,
5 school heating systems and repairs, there's
6 going to be a level of inspection for, let's
7 just say hazardous materials, that would
8 need to be removed.

9 ADMINISTRATOR MARLENE MCCOLLE:

10 Uh-huh.

11 MR. ANDREW COONEY: Who in the
12 Town is going to confirm that that was done?
13 Is TRANE going to indepen -- there's got to
14 be some independent inspections for
15 hazardous materials?

16 ADMINISTRATOR MARLENE MCCOLLE:

17 So those will flow through the Building
18 Department and the Building Commissioner
19 through the permit. So, all of this work
20 will have to be permitted. Any asbestos-
21 containing materials or other lead or other
22 hazardous materials, we'll receive a
23 manifest of what was removed and where it is
24 disposed of.

1 MR. ANDREW COONEY: Okay. I think
2 we're missing a level of quality control
3 with this company, TRANE, that we need to
4 have some independent consideration for
5 quality control on some of these projects.

6 MODERATOR AMY KULLAR: Thank you.

7 MR. ANDREW COONEY: Okay. Thank
8 you.

9 MODERATOR AMY KULLAR: I recognize
10 Robert Wheeler.

11 MR. ROBERT WHEELER: Robert
12 Wheeler from Pocasset. I wonder about the
13 percentage of efficiency the boilers would
14 be. Have you ascertained that as of yet?

15 ADMINISTRATOR MARLENE MCCOLLE:
16 So, we are just finishing up the investment-
17 grade audit at this point, and there are a
18 number of different boilers specced for
19 different buildings, and TRANE's
20 instructions are to maximize the efficiency
21 and maximize the rebates that the Town is
22 eligible for receiving. So, although we
23 can't necessarily identify the exact make
24 and model yet that will be installed, they

1 will be as high-efficiency as possible to
2 maximize the rebates which will help carry
3 the cost of the project.

4 MR. ROBERT WHEELER: Very well.
5 Thank you.

6 ADMINISTRATOR MARLENE MCCOLLEM:
7 Thanks.

8 MODERATOR AMY KULLAR: Thank you.
9 Any further discussion on Article 11?
10 Hearing none. We will move to a vote on
11 Article 11. This vote requires a two-thirds
12 majority.

13 Using your handheld devices, you
14 may begin voting now. Green for "Yes"; red
15 for "No."

16 (Voting in progress.)

17 MODERATOR AMY KULLAR: Voting is
18 now closed.

19 I declare the motion of the
20 Finance Committee has passed with 85 in
21 favor and 19 in opposition.

22 (Article 11 passed.)

23 MODERATOR AMY KULLAR: We will now
24 move to the lottery.

ARTICLE 1

MODERATOR AMY KULLAR: Article 1.
Article 1 on page 10 of your handbook
requires a simple majority vote. Does the
Finance Committee have a positive motion?

MR. STEVEN SOLBO: Yes, we do,
Madam Moderator.

MODERATOR AMY KULLAR: I recognize
Steven Solbo.

MR. STEVEN SOLBO: Thank you. We
move that the Town vote to hear reports and
recommendations of Committees and Town
Officers.

MS. AMANDA BONGIOVANNI: Second.

MODERATOR AMY KULLAR: You have
the floor.

MR. STEVEN SOLBO: This article
allows for Reports and Recommendations to be
presented by representatives of Committees
and Town Officers to Town Meeting.

A "Yes" or "Aye" vote in favor
would allow committees to address Town
Meeting and provide an update on their work.

A "No" or "Nay" vote opposed would

1 not allow the committee representatives to
2 provide a report to Town Meeting.

3 The Finance Committee voted
4 unanimously 8-0-0 to recommend approval of
5 this article.

6 The Board of Selectmen voted
7 unanimously 4-0-0 to recommend approval of
8 this article.

9 MODERATOR AMY KULLAR: Thank you.
10 Is there any discussion on Article 1?
11 Seeing none. We will now move to a vote on
12 Article 1. This vote requires a simple
13 majority.

14 Using your handheld device, you
15 may begin voting now.

16 (Voting in progress.)

17 MODERATOR AMY KULLAR: Voting is
18 now closed.

19 I declare the motion of the
20 Finance Committee has passed with 98 in
21 favor and 10 in opposition.

22 (Article 1 passed.)

23 MODERATOR AMY KULLAR: We will now
24 here committee reports. I recognize Marlene

1 McCollem regarding the South Station Fire --
2 South Side Fire Station Committee. Go
3 ahead. You have the floor, Marlene.

4 ADMINISTRATOR MARLENE MCCOLLEM:

5 Thank you, Madam Moderator. Good evening.
6 It is my pleasure to provide you with an
7 update on the work that the South Side Fire
8 Station Committee has been doing.
9 Unfortunately, Chairman Wayne Sampson cannot
10 be with us tonight, but I am here with the
11 Vice Chairman Lieutenant Kyle Lima and Chief
12 Cody. Vice Chair Lima will brief you on
13 what the committee has been doing the past
14 few months, and Chief Cody will explain why
15 a new station is critically needed.

16 Helping to build a new fire
17 station is one of the tasks I am most
18 excited about. It is a clear an unambiguous
19 signal that you as a community are committed
20 to planning for and responding to the needs
21 of the future. A new fire station to serve
22 the neighborhoods south of the bridge is a
23 critical and necessary investment in
24 Bourne's future infrastructure.

1 The South Side Fire Station
2 Committee members were appointed by the
3 Board of Selectmen on March 1, 2022, and we
4 have been working together cooperatively and
5 diligently ever since. I will now turn it
6 over to Vice Chairman Lima to speak about
7 what the committee has accomplished to date.

8 MODERATOR AMY KULLAR: Thank you.

9 VICE CHAIRMAN KYLE LIMA: Thank
10 you. My name is Kyle Lima; I'm the Vice
11 Chair South Side Fire Station Committee to
12 just give you a brief update. The new South
13 Side Fire Station Committee was organized in
14 April of 2022, and we have met as a
15 committee ten times prior to tonight's Town
16 Meeting.

17 The committee received and
18 reviewed a Response Time Study prepared by
19 Criterion Associates that analyze the Fire
20 Department's ability to respond to an
21 emergency call within a reasonable amount of
22 time. Happily, it was determined that all
23 of the potential locations in which we are
24 looking at for the new fire station provide

1 very high levels of service for response
2 times.

3 The committee has discussed and
4 evaluated the need to assemble a new design
5 team with a fresh perspective on the
6 project. We, collectively, decided to issue
7 a request for qualifications for an owner's
8 project manager. The committee unanimously
9 supported hiring Pomroy Associates as our
10 OPM, and the Town Administrator has since
11 signed a contract to retain them.

12 Likewise, we issued a request for
13 qualifications for an architect to head the
14 designer's team. The committee has
15 unanimously recommended proceeding with
16 Saccoccio Associates Architects, and the
17 Town Administrator is currently in the
18 process of negotiating a contract with the
19 firm.

20 The committee is actively
21 searching for a suitable location for a new
22 fire station, and we hope to be before you,
23 again, next spring with a request to acquire
24 property and a further update on our

1 progress.

2 At this time now, I would like to
3 turn it over to Chief Cody to discuss why a
4 new station, south side, is critical to the
5 Town.

6 MODERATOR AMY KULLAR: Thank you,
7 Lieutenant Lima. I recognize Chief Cody.

8 CHIEF DAVE CODY: Thank you, Madam
9 Moderator. Good evening, everyone. My
10 name's Dave Cody; I'm the Fire Chief. I'm
11 also a long-time resident of Pocasset.

12 I'd first like to thank the South
13 Side Station Committee for everything
14 they've been doing to keep this project
15 moving forward. I can't emphasize enough
16 how important this station is. We are in
17 desperate need of a new station for the
18 South Side.

19 Many of you or maybe most of you
20 are probably aware that there are two fire
21 stations on the south side of the Canal, our
22 Pocasset station located on Barlows Landing
23 Road. It was built in 1947. It's been in
24 service for more than 75 years. Our

1 Monument Beach station located on Thomas
2 Philbrick Road was built in 1920. It's in
3 service to the Town for over a hundred
4 years. Both these stations are grossly
5 undersized for modern day fire apparatus and
6 ambulances, and both buildings are
7 structurally failing at this point.

8 Up until last October, our crews
9 worked out of the Pocasset Station until it
10 was determined that the apparatus
11 (Indiscernible) floors were no longer
12 structurally sound and could no longer
13 support the weight of our vehicles. That
14 forced us to relocate our operations to the
15 Monument Beach station.

16 Unfortunately, that station's not
17 habitable, so we were forced to bring in
18 temporary housing which has been installed
19 next to the station. We're using that now
20 as temporary living quarters for our crews.
21 This move in no way has affected the level
22 of service we're providing on the south
23 side; I want to assure you of that. But,
24 again, we do need a new station.

1 So, moving forward, I'm just
2 asking for your support as we continue with
3 the process of trying to locate land and to
4 build the most cost-effective station that
5 will serve the needs of the department to
6 better serve the Town. Thank you.

7 MODERATOR AMY KULLAR: Thank you,
8 Chief Cody. Are there any other Town
9 Committees or Town Officers that wish to
10 make a report to the Town Meeting this
11 evening? Hearing none. We will move onto
12 the next article.

13 **ARTICLE 4**

14 MODERATOR AMY KULLAR: Article 4.
15 Article 4 on page 13 of your handbook
16 requires a simple majority. Does the
17 Finance Committee have a positive motion?

18 MR. JIM SULLIVAN: Yes, we do,
19 Madam Moderator.

20 MODERATOR AMY KULLAR: I recognize
21 James Sullivan.

22 MR. JAMES SULLIVAN: We move that
23 the Town vote to appropriate the sum of
24 \$872,538 for the purposes of funding the

1 Town's Other Post-Employment Benefits, or
2 OPEB, Liability, and to meet this
3 appropriation to transfer to the OPEB Trust
4 Fund the sums of \$582,538 from Free Cash;
5 \$30,000 from Sewer Retained Earnings, and
6 \$260,000 from ISWM Retained Earnings.

7 MS. AMANDA BONGIOVANNI: Second.

8 MODERATOR AMY KULLAR: You have
9 the floor.

10 MR. JIM SULLIVAN: Thank you.
11 Post-Employment Benefits are benefits other
12 than pensions for eligible Town employees.
13 These benefits are paid by the Town on a
14 pay-as-we-go basis through our OPEB Trust.
15 In addition to current year pay-as-we-go
16 contributions under our financial policy,
17 the Town funds the OPEB Trust Fund with an
18 amount equal to 10 percent of each year's
19 actual new growth, plus 10 percent of the
20 excess Free Cash. The long-term goal for
21 the trust fund is to fully fund our OPEB
22 liability.

23 A "Yes" or "Aye" vote in favor of
24 the motion provides funding to meet the

1 Financial Policy Guidelines for OPEB. This
2 will help maintain the Town's high bond
3 rating.

4 A "Nay" or "No" vote opposed to
5 the motion would not provide additional
6 funding for OPEB and would not be consistent
7 with stated financial guidelines.

8 The Finance Committee voted
9 unanimously 8 to 0 to recommend approve this
10 article.

11 The Board of Selectmen voted
12 unanimously 4 to 0 to recommend approval of
13 this article.

14 MODERATOR AMY KULLAR: Thank you.
15 Is there any discussion on Article 4?
16 Hearing and seeing none, we will now move to
17 a vote on Article 4. This vote requires a
18 simple majority.

19 Using your handheld device, you
20 may begin voting now. Green for "Yes"; red
21 for "No."

22 (Voting in progress.)

23 MODERATOR AMY KULLAR: Voting is
24 now closed.

1 I declare the motion of the
2 Finance Committee has passed with 102 voters
3 in favor and 7 in opposition.

4 (Article 4 passed.)

5 **ARTICLE 12**

6 MODERATOR AMY KULLAR: Article 12.
7 Article 12 on page 21 of your handbook
8 requires a simple majority vote. Does the
9 Finance Committee have a positive motion?

10 MS. KATHLEEN LEGACY: Yes, Madam
11 Moderator, we do.

12 MODERATOR AMY KULLAR: Thank you.
13 I recognize Kathleen LeGacy.

14 MS. KATHLEEN LEGACY: We move
15 Article 12 as set forth in the Warrant.

16 MS. AMANDA BONGIOVANNI: Second.

17 MODERATOR AMY KULLAR: You have
18 the floor.

19 MS. KATHLEEN LEGACY: Thank you.
20 The proposed Bylaw changes would change the
21 date by which dog owners will need to have
22 their dog licensed from June 30 of each year
23 to March 31 of each year. It will also
24 remove the requirement that the Town Clerk

1 notify owners by June 15 of each year of the
2 need to license their dogs, thus eliminating
3 redundancies in the process, freeing up town
4 resources, and resulting in cost savings to
5 the Town. The Bylaw Committee voted
6 unanimously to approve this article.

7 A "Yes" or "Aye" vote in favor of
8 the motion changes the Town Bylaws to
9 require dog owners to license their dogs no
10 later than March 31 and removes the
11 requirement that the Town Clerk's office
12 provide a reminder by mail.

13 A "No" or "Nay" vote opposed to
14 the motion would maintain the status quo and
15 to not change the bylaw.

16 The Finance Committee voted
17 unanimously 9-0 to recommend approval of
18 this article.

19 The Board of Selectmen voted
20 unanimously 4-0 to recommend approval of
21 this article.

22 MODERATOR AMY KULLAR: Thank you.
23 Is there any discussion on Article 12?
24 Hearing and seeing none, we will now move to

1 a vote on Article 12. This vote requires a
2 simple majority.

3 Using your handheld device, you
4 may begin voting now. Green for "Yes"; red
5 for "No."

6 (Voting in progress.)

7 MODERATOR AMY KULLAR: Voting is
8 now closed.

9 I declare the motion of the
10 Finance Committee has passed with 106 voters
11 in favor and 6 in opposition.

12 (Article 12 passed.)

13 **ARTICLE 15**

14 MODERATOR AMY KULLAR: Article 15.
15 Article 15 is on page 24 of your handbook.
16 Does the Finance Committee have a positive
17 motion?

18 MR. RICHARD LAVOIE: We do not,
19 Madam Moderator.

20 MODERATOR AMY KULLAR: I recognize
21 Rich Lavoie.

22 MR. RICHARD LAVOIE: Is the
23 Planning Board going to --

24 MODERATOR AMY KULLAR: Yes. They

1 will talk after you.

2 MR. RICHARD LAVOIE: The motion of
3 the Finance Committee is we move the Town
4 indefinitely postpone Article 15.

5 MS. AMANDA BONGIOVANNI: Second.

6 MODERATOR AMY KULLAR: You have
7 the floor.

8 MR. RICHARD LAVOIE: After this
9 article was submitted by private petition,
10 it was determined that it was not needed as
11 the permits for the subject project, the
12 Calamar project, were issued prior to the
13 change in the zoning regulations and, thus,
14 not subject to the present regulations.

15 A "Yes" or "Aye" vote in favor of
16 the motion to indefinitely postpone the
17 article would maintain the status quo, and
18 the Zoning Bylaw would not be amended. It
19 has been determined that the zoning
20 amendment is not required for the
21 proponent's development.

22 A "No" or "Nay" vote opposed to
23 the motion to indefinitely postpone would
24 require another motion to be made on Article

1 15 to discuss and vote on the proposed
2 private petition amendment to the Zoning
3 Bylaw which would allow certain developments
4 to avoid certain -- to avoid providing
5 affordable housing that would "count"
6 towards the Town goal of having 10 percent
7 of the year-round housing deed restricted as
8 affordable.

9 The Finance Committee voted
10 unanimously 9 to 0 to recommend approval of
11 the motion to indefinitely postpone this
12 article.

13 The Board of Selectmen voted
14 unanimously 4 to 0 to recommend approval of
15 the motion to indefinitely postpone this
16 article.

17 MODERATOR AMY KULLAR: Thank you.
18 I'll also recognize the Chair of the
19 Planning Board Dan Doucette. You have the
20 floor, Mr. Chair.

21 PLANNING BOARD CHAIR DAN DOUCETTE:
22 Thank you, Madam Moderator. The Planning
23 Board Request for a special permit --
24 Special Town Meeting, October 24, 2022.

1 Article 15: Section 2842 Performance
2 Standards for Residential Uses.

3 On October 13, 2022, in accordance
4 with Mass. General Laws Chapter 40A, Section
5 5, the Planning Board conducted a Public
6 Hearing to review petitioned Article 15 to
7 amend Section 2842 to exempt the inclusion
8 of affordable units on the Commonwealth's
9 Subsidized Housing Inventory where inclusion
10 of affordable housing units is prohibited by
11 the Department of Housing and Community
12 Development, DHCD.

13 It was published in the Cape Cod
14 Times on September 20, 2022, and September
15 27, 2022.

16 The following nine Planning Board
17 members were present: myself, Elizabeth
18 Brown, David O'Connor, Jeanne Azarovitz,
19 Sandra Goldstein, Christopher Farrell, John
20 Carroll, Patricia Nemeth, and Amanda Wing.

21 There were seven members of the
22 public present.

23 The Planning Board voted
24 unanimously 9-0 to indefinitely postpone

1 this article.

2 MODERATOR AMY KULLAR: Thank you.
3 Is there any further discussion on Article
4 15 and the motion for indefinite
5 postponement? A motion for indefinite
6 postponement requires a simple majority
7 vote, so we will move ahead with voting on
8 that motion. You may begin voting now.

9 (Voting in progress.)

10 MODERATOR AMY KULLAR: Voting is
11 now closed.

12 I declare the motion to
13 indefinitely postpone Article 15 has passed
14 with 101 in favor and 6 in opposition.

15 (Article 15 passed.)

16 **ARTICLE 8**

17 MODERATOR AMY KULLAR: Article 8.
18 Article 8 on page 17 of your handbook
19 requires a simple majority vote. Does the
20 Finance Committee have a positive motion?

21 MS. AMANDA BONGIOVANNI: Yes, we
22 do, Madam Moderator.

23 MODERATOR AMY KULLAR: I recognize
24 Amanda Bongiovanni.

1 MS. AMANDA BONGIOVANNI: We move
2 that the Town vote to appropriate the sum of
3 \$50,000 for the purposes of this article,
4 and to meet this appropriation to transfer
5 the sum of \$50,000 from ISWM Retained
6 Earnings.

7 MALE VOICE: Second.

8 MODERATOR AMY KULLAR: You have
9 the floor.

10 MS. AMANDA BONGIOVANNI: ISWM had
11 obtained quotes for the 1-ton container
12 truck prior to the May 3, 2021, Annual Town
13 Meeting. Based on the original quotes
14 received, the amount requested at the May 3,
15 2021, Annual Town Meeting would've been
16 sufficient, given that the wheelbase of the
17 truck required to accommodate the container
18 body is somewhat unusual. There were no
19 units available when the funding became
20 available, and the Town had to go on a
21 waiting list for the truck.

22 When ISWM's chance came to order
23 the truck, the price had gone up requiring
24 this request for additional funding through

1 the Town Meeting.

2 A "Yes" or "Aye" vote in favor of
3 the motion would approve additional funding
4 necessary to purchase this truck due to the
5 increased costs since the original article
6 was passed.

7 A "No" or "Nay" vote opposed to
8 the motion would not provide the additional
9 funding and the truck would not be
10 purchased.

11 The Finance Committee voted
12 unanimously 9-0-0 to recommend approval of
13 this article.

14 The Board of Selectmen voted
15 unanimously 4-0-0 to recommend approval of
16 this article.

17 MODERATOR AMY KULLAR: Thank you.
18 Is there any discussion on Article 8?
19 Seeing none. We will move to a vote on
20 Article 8. This vote requires a simple
21 majority.

22 Using your handheld device, you
23 may begin voting now. Green for "Yes"; red
24 for "No."

1 (Voting in progress.)

2 MODERATOR AMY KULLAR: Voting is
3 now closed.

4 I declare the motion of the
5 Finance Committee has passed with 100 in
6 favor and 8 in opposition.

7 (Article 8 passed.)

8 **ARTICLE 7**

9 MODERATOR AMY KULLAR: Article 7.
10 Article 7 on page 16 of your handbook
11 requires a simple majority vote. Does the
12 Finance Committee have a positive motion?

13 MS. AMANDA BONGIOVANNI: Yes, we
14 do, Madam Moderator.

15 MODERATOR AMY KULLAR: I recognize
16 Amanda Bongiovanni.

17 MS. AMANDA BONGIOVANNI: We move
18 that the Town vote to appropriate the sum of
19 \$225,000 for the purposes of this article,
20 and to meet this appropriation to transfer
21 the sum of \$225,000 from ISWM Retained
22 Earnings.

23 MALE VOICE: Second.

24 MODERATOR AMY KULLAR: You have

1 the floor.

2 MS. AMANDA BONGIOVANNI: In late
3 2020, ISWM developed a proof of concept
4 using an absorbent media called, "FLUORO-
5 SORB." This first pilot test showed short-
6 term success but revealed that the absorbent
7 media quickly became coated and clogged
8 requiring frequent change out despite
9 exceptional PFAS removal capabilities.
10 Bench tests and a second pilot test in 2021
11 introduced pretreatment to remove solids
12 followed by "FLUORO-SORB." This step
13 provided good results that met ISWM target
14 goals, but it still requires frequent
15 change-out of media causing operational
16 inefficiencies.

17 The 2022 pilot test featured
18 enhanced pretreatment for removal of solids
19 and a new technology called "Surface
20 Activated Foam Fraction," S-A-F-F. SAFF was
21 tested on both pretreated and raw leachate
22 and tests exceeded all expectations by
23 producing effluent with less than 20 percent
24 of the 20-part trillion maximum. The

1 previously proven FLOURO-SORB component will
2 be used as a polishing step that will be
3 used as regulations and containments to be
4 removed change.

5 The additional funding being
6 requested will be used to complete analysis
7 of the 2022 results, as not all data had
8 been analyzed, and this will fund additional
9 testing on improvements to the pretreatment
10 system.

11 This last round of funding would
12 allow ISWM to complete engineering plans to
13 30 percent allowing for a Capital Funding
14 estimate of plus or minus 20 percent. This
15 would provide the Town sufficient detail to
16 review the project and plot plan a path
17 forward.

18 At this point, ISWM and the Town
19 will have the information needed to have a
20 productive discussion leading to a well-
21 informed decision. This report is expected
22 to be complete for Town review at the
23 beginning of the second quarter of next
24 year.

1 A "Yes" or "Aye" vote in favor of
2 the motion would approve funding, excuse me,
3 approve additional funding for the Pilot
4 Leachate Treatment System and allow the
5 program to continue.

6 A "No" or "Nay" vote opposed to
7 the motion would not provide the additional
8 funding, and the pilot program would stop
9 collecting data and would be abandoned.

10 The Finance Committee voted
11 unanimously 8-0-0 to recommend approval of
12 this article.

13 The Board of Selectmen voted
14 unanimously 4-0-0 to recommend approval of
15 this article.

16 MODERATOR AMY KULLAR: Thank you.
17 Is there any further discussion on Article
18 7? Seeing none. We will move to a vote on
19 Article 7. This vote requires a simple
20 majority.

21 Using your handheld device, you
22 may begin voting now.

23 (Voting in progress.)

24 MODERATOR AMY KULLAR: Voting is

1 now closed.

2 I declare the motion of the
3 Finance Committee has passed with 100 in
4 favor and 6 in opposition.

5 (Article 7 passed.)

6 **ARTICLE 9**

7 MODERATOR AMY KULLAR: Article 9
8 on page 18 of your handbook requires a
9 simple majority vote. Does the Finance
10 Committee have a positive motion?

11 MR. STEVEN SOLBO: Yes, we do,
12 Madam Moderator.

13 MODERATOR AMY KULLAR: I recognize
14 Steven Solbo.

15 MR. STEVEN SOLBO: We move that
16 the Town vote to appropriate the sum of
17 \$306,034.87 for the purposes of this
18 article, and to meet this appropriation to
19 transfer the sum of \$306,034.87 from Free
20 Cash.

21 MS. AMANDA BONGIOVANNI: Second.

22 MODERATOR AMY KULLAR: You have
23 the floor.

24 MR. STEVEN SOLBO: This article

1 transfers \$306,034.87 from Free Cash to the
2 Capital Stabilization Fund. The Capital
3 Stabilization Fund is used to help pay for
4 large capital projects and to support the
5 Debt Service Budget for capital projects.
6 This continues to be an important step in
7 accordance with our financial policy and
8 will help stabilize the tax rate and
9 maintain the capital infrastructure of the
10 Town.

11 A "Yes" or "Aye" vote in favor of
12 the motion provides funding to meet the
13 Financial Policy Guidelines for building the
14 Capital Stabilization Fund. This will help
15 ensure that funds continue to be set aside
16 for the long-term maintenance of the Town's
17 capital assets.

18 A "No" or "Nay" vote opposed to
19 the motion would not provide additional
20 funding for the Capital Stabilization Fund
21 and would not be consistent with stated
22 financial guidelines.

23 The Finance Committee voted
24 unanimously 9-0-0 to recommend approval of

1 this article.

2 The Board of Selectmen voted
3 unanimously 4-0-0 to recommend approval of
4 this article.

5 MODERATOR AMY KULLAR: Thank you.
6 Is there any further discussion on Article
7 9? Seeing none. We will move to a vote on
8 Article 9. This vote requires a simple
9 majority.

10 Using your handheld device, you
11 may begin voting now. Green for "Yes"; red
12 for "No."

13 (Voting in progress.)

14 MODERATOR AMY KULLAR: Voting is
15 now closed.

16 I declare the motion of the
17 Finance Committee has passed with 104 in
18 favor and 3 in opposition.

19 (Article 9 passed.)

20 **ARTICLE 14**

21 MODERATOR AMY KULLAR: Article 14.
22 Article 14 is on page 23 of your handbook
23 and requires a two-thirds majority vote.
24 Does the Finance Committee have a positive

1 motion?

2 CHAIR RENEE GRATIS: I thought the
3 Planning Board was making it.

4 MODERATOR AMY KULLAR: Oh,
5 Planning Board.

6 CHAIR RENEE GRATIS: Nice try.

7 MODERATOR AMY KULLAR: Sorry. I
8 recognize Chris Farrell.

9 MR. CHRISTOPHER FARRELL: We move
10 that Article 14, as set forth in the
11 Warrant, be approved.

12 MS. AMANDA BONGIOVANNI: Second.

13 MODERATOR AMY KULLAR: You have
14 the floor.

15 MR. CHRISTOPHER FARRELL: We move
16 to approve and change the Zoning Bylaw to
17 increase the ability of property owners to
18 share parking in the Downtown District.

19 A "Nay" vote opposed to the motion
20 would maintain the status quo, and we're
21 looking to move that forward.

22 Off-Site Parking Credit -- Parking
23 requirements may be reduced up to 50 percent
24 with a Special Permit by the Planning Board

1 for an off-street parking lot of 20 spaces
2 or more exist within -- now changed to 1,000
3 feet of the principal land use, and the
4 parking lot has an ample space available to
5 serve the immediate area as determined by a
6 survey of peak-hour occupancy and usage.

7 If this rule cannot be met, the
8 applicant can secure private off-street
9 parking within 1,000 feet of an off-site
10 parking by ownership or lease with another
11 landowner, or with the following conditions:

12 The off-site parking will be
13 shared by one or more landowner;

14 The greater distance is
15 justified because the pedestrian
16 traffic safety pattern and the
17 validity of that area would be
18 part of the walk.

19 The Planning Board held a Public
20 Hearing to review Article 14 to amend
21 Section 2854 b) Off-Site Parking Credit by
22 deleting section 300 and 500 feet and by
23 replacing it with 100 (sic) feet for public
24 and private parking lots.

1 This was published in the Cape Cod
2 Times on August 24, 2022, and August 31,
3 2022.

4 The following eight Planning Board
5 members were present: Daniel Doucette,
6 Elizabeth Brown, Jeanne Azarovitz, Sandra
7 Goldstein, myself, John Carroll, Patricia
8 Nemeth, and Amanda Wing.

9 There were four members of the
10 public present.

11 The Planning Board voted
12 unanimously 8 to 0 to recommend approval of
13 this article.

14 MODERATOR AMY KULLAR: Thank you.

15 CHAIR RENEE GRATIS: I just want
16 to correct; I think you said that it changed
17 300 and 500 feet to 100 feet --

18 MR. CHRISTOPHER FARRELL: One
19 thousand feet.

20 CHAIR RENEE GRATIS: A thousand
21 feet.

22 MR. CHRISTOPHER FARRELL: Sorry.

23 CHAIR RENEE GRATIS: I just wanted
24 to make that clear to everybody.

1 MODERATOR AMY KULLAR: Thank you.
2 Go ahead, Renee.

3 CHAIR RENEE GRATIS: So, as just
4 explained, the Bylaw extends the off-site
5 parking requirement to 1,000 feet within the
6 Downtown Parking Regulations via Special
7 Permit, and this is seen bringing a positive
8 impact considering the layout of downtown
9 Buzzards Bay.

10 And, as stated, a "Yes" vote in
11 favor changes the Zoning Bylaw to increase
12 the ability for property owners to share
13 parking with the Downtown District.

14 And a "No" vote opposed to the
15 motion would maintain the status quo and not
16 change the zoning bylaw as outlined.

17 So the Finance Committee voted
18 unanimously 8-0 to recommend approval of
19 this article, and the Board of Selectmen
20 voted unanimously 4-0 to recommend approval
21 of the article.

22 MODERATOR AMY KULLAR: Thank you,
23 Finance Committee Chairwoman Renee Gratis.
24 Is there any discussion on Article 14? Yes,

1 please state your name for the record.

2 MR. JOHN YORK: Yes, my name is
3 John York. I think this is a good idea to
4 improve parking options and open up parking
5 options for downtown businesses. I think
6 there's some problems with this as it's
7 written.

8 I understand this had a hearing so
9 it couldn't be amended at tonight's Town
10 Meeting. I've discussed the problems, but I
11 would recommend that there's a no vote on
12 this, and that the Planning Board come back
13 at the Spring Town Meeting having corrected
14 the problems.

15 So, specifically, the problems
16 that I see -- after I say the problems, I'm
17 going to ask a few questions that maybe
18 would explain that they aren't actually
19 problems.

20 MODERATOR AMY KULLAR: You have
21 three minutes.

22 MR. JOHN YORK: Okay. The
23 problems that I see are that there's nothing
24 in this amendment to the Bylaw that says

1 anything about the quality of the walking
2 path between the parking area and the
3 property. We're talking about pedestrians
4 walking. They might've driven there in
5 their car, but now they're walking up to a
6 thousand feet.

7 MODERATOR AMY KULLAR: Do you want
8 the Planning Board representative to
9 directly address each point you're making,
10 or do you want to give all your points
11 first?

12 MR. JOHN YORK: I'll give the
13 points first.

14 MODERATOR AMY KULLAR: Okay.
15 Thank you.

16 MR. JOHN YORK: Thank you. So, I
17 don't know if there's something somewhere
18 else in the existing Bylaw separate from
19 this section that would do that, but it
20 seems to me if you're going to a thousand
21 feet, you need to address that.

22 And I don't understand what Item
23 Number 2 in the special cases that apply
24 where you're using private property means.

1 It's not sure what it means to have a
2 greater distance justified. The vitality of
3 the area would be part of the walk, that
4 would be part of the walk. I'm not sure
5 what that would mean in terms of specific
6 requirements to meet this section. So, that
7 is another concern.

8 I also want to point out -- I
9 don't see anything here that says that at a
10 thousand feet is, say along Main Street,
11 which I think is what people picture, but a
12 thousand feet sideways from Main Street
13 could be a long way from Main Street, and a
14 lot of area with no sidewalk. We're asking
15 people to walk in what could be dangerous
16 areas.

17 I don't see anything here that
18 says it has to be in the same town, so that
19 a business at Cohasset -- the Bourne side of
20 Cohasset Narrows bridge could be asking to
21 be given credit for parking in Wareham and
22 walking --

23 MODERATOR AMY KULLAR: So, this is
24 relative to the Downtown Parking District,

1 so downtown is Buzzards Bay, Main Street.

2 MR. JOHN YORK: Oh, that wouldn't
3 include Cohasset Narrows, the businesses
4 right at the edge of Cohasset Narrows
5 bridge?

6 MODERATOR AMY KULLAR: I think
7 that the Planning Board representatives will
8 be able to clarify that for all of us.

9 MR. JOHN YORK: Okay. So my
10 concern is that we are creating a need for
11 people to walk on roads where we do not
12 currently provide adequate sidewalks. Many
13 of the sidewalks are not ADA compliant. I
14 don't see anything in here that says
15 anything about how many ADA spaces are
16 provided at the site. So, I would assume
17 that that would still be the number that are
18 required for the full amount --

19 MODERATOR AMY KULLAR: You have 30
20 seconds.

21 MR. JOHN YORK: -- it would not be
22 reduced. So, ADA issues; is there any
23 requirement of the quality of pedestrian
24 access from the parking lot to the site?

1 MODERATOR AMY KULLAR: Thank you.
2 Mr. Farrell.

3 MR. CHRISTOPHER FARRELL: Thank
4 you. Thanks, John, for those questions.
5 First of all, ADA compliant is specified in
6 each applicant's review. They have to
7 provide ADA compliant parking within a
8 certain distance of their particular
9 project.

10 Second thing, the Town of Wareham
11 doesn't count. It's not in our Downtown
12 District. So, we'd be looking at that. In
13 the Downtown District, basically, what we're
14 doing is a thousand feet is about three
15 football fields --

16 MS. ELIZABETH BROWN: Less than a
17 quarter of a mile.

18 MR. CHRISTOPHER FARRELL: Less
19 than a quarter mile. We haven't had any
20 problems with that so far. We had Canal
21 Day, very successful. A lot of people, and
22 some of those people parked a lot further
23 than a thousand feet away, and they wanted
24 to attend that.

1 We have upgraded our sidewalks in
2 Downtown District probably back in early
3 2000s, 2009, somewhere in that area.
4 There's plenty of adequate places for people
5 to walk on either side of the roadway.

6 If you look in the Downtown
7 District beyond Main Street, I think that
8 would be pretty much the same as any other
9 city or town in the Commonwealth that we
10 don't always have sidewalks on every street,
11 but I think there's never been a problem
12 with pedestrian safety in the Town at all.

13 MODERATOR AMY KULLAR: Thank you.
14 You can have a follow-up.

15 MR. JOHN YORK: Yes. So, I don't
16 see anything in here that says that the
17 parking has to be within the Downtown
18 District. I assume this applies to
19 businesses within the Downtown District.
20 But if that's the intent, I think it should
21 be in here.

22 Secondly, I don't agree that
23 there's never been a pedestrian safety issue
24 in our Town.

1 MODERATOR AMY KULLAR: This isn't
2 a debate, so please stay to the point.

3 MR. JOHN YORK: I will state that
4 there have been pedestrian safety issues in
5 our Town, and that I don't see -- if there's
6 an intent in this wording, it should be in
7 the wording.

8 MODERATOR AMY KULLAR: Thank you,
9 Mr. York.

10 MR. JOHN YORK: Thank you. So I
11 urge a no vote. Thank you.

12 MODERATOR AMY KULLAR: Mr.
13 Farrell, do you care to respond to that?

14 MR. CHRISTOPHER FARRELL: I don't
15 think it's necessary to respond to that.
16 Thank you.

17 MODERATOR AMY KULLAR: All right.
18 Is there any further discussion on Article
19 14? Seeing none. We will move to a vote on
20 Article 14. This vote requires a two-thirds
21 majority. It's a Zoning Bylaw change.

22 Using your handheld device, you
23 may begin voting now. Green for "Yes"; red
24 for "No."

1 (Voting in progress.)

2 MODERATOR AMY KULLAR: Voting is
3 now closed.

4 I declare the motion of the
5 Planning Board has passed, 75 in favor and
6 29 in opposition.

7 (Article 14 passed.)

8 SELECTPERSON MARY JANE

9 MASTRANGELO: Is the vote two-thirds
10 required?

11 MODERATOR AMY KULLAR: Yes.

12 SELECTPERSON MARY JANE

13 MASTRANGELO: What was the two-thirds vote
14 number required?

15 MODERATOR AMY KULLAR: Seven two,
16 I think.

17 SELECTPERSON MARY JANE

18 MASTRANGELO: Sixty-seven.

19 MODERATOR AMY KULLAR: It was 68.

20 SELECTPERSON MARY JANE

21 MASTRANGELO: Okay. Thank you.

22 MODERATOR AMY KULLAR: Sixty-nine
23 was the required threshold for the vote to
24 pass at two-thirds majority, and it's 75 in

1 favor, so it is passed.

2 (Article 14 passed.)

3 **ARTICLE 10**

4 MODERATOR AMY KULLAR: Article 10.
5 Article 10 on page 19 of your handbook
6 requires a simple majority vote. Does the
7 Finance Committee have a positive motion?

8 DR. WILLIAM TOWNE: Yes, we do,
9 Madam Moderator.

10 MODERATOR AMY KULLAR: I recognize
11 Dr. William Towne.

12 DR. WILLIAM TOWNE: We move that
13 the Town vote, upon the recommendation of
14 the Community Preservation Committee, to
15 appropriate the sum of \$33,500 for the
16 Community Preservation Fund projects as
17 shown on pages 32 and 34, and to meet this
18 appropriation to transfer the sum of \$13,500
19 from the Community Housing Reserves.

20 Also, to transfer \$20,000 from the
21 Historic Preservation Reserves, and that's
22 on pages 35 through 38. And the Community
23 Housing --

24 CHAIR RENEE GRATIS: This is the

1 motion. You have to read the motion, and if
2 it gets a second that's when you read the
3 rest.

4 DR. WILLIAM TOWNE: Okay. Right,
5 right, right. I have to wait for the
6 second. I read the motion.

7 CHAIR RENEE GRATIS: You have to
8 read it word-for-word.

9 DR. WILLIAM TOWNE: Okay.

10 CHAIR RENEE GRATIS: Sorry. Word-
11 for-word.

12 DR. WILLIAM TOWNE: I evidently
13 put an extra word in or something. We move
14 the Town vote, upon the recommendation of
15 the Community Preservation Committee, to
16 appropriate the sum of \$33,500 for the
17 Community Preservation Fund projects, and
18 shown below, and to meet this appropriation
19 to transfer the sum of \$13,500 from
20 Community Housing Reserves; transfer \$20,000
21 from the Historic Preservation Reserves.

22 MODERATOR AMY KULLAR: Thank you.

23 DR. WILLIAM TOWNE: I got it
24 right.

1 MS. AMANDA BONGIOVANNI: Second.

2 MODERATOR AMY KULLAR: And Mr.

3 Chair of the Community Preservation

4 Committee, Mr. Barry Johnson, does the

5 Community Preservation Committee support

6 this article?

7 CHAIR BARRY JOHNSON: Yes, we do.

8 MODERATOR AMY KULLAR: He responds

9 in the affirmative. You have the floor.

10 DR. WILLIAM TOWNE: This article
11 refers -- provides monies for a planning
12 consultant involving the Housing Plan for
13 the Town of Bourne and, secondly, the
14 Historic Preservation Reserves is to restore
15 the Joseph Jefferson Windmill on the campus
16 of the Aptuxet Museums, which has recently
17 been accepted to the National Register of
18 Historic Places.

19 MODERATOR AMY KULLAR: Thank you.
20 Is there any further discussion on Article
21 10?

22 DR. WILLIAM TOWNE: An "Aye" vote
23 in favor of the motion provides for funding
24 the projects as recommended by the Community

1 Preservation Committee.

2 A "No" vote or "Nay" vote opposes
3 the motion means that the funding would not
4 be provided, and the projects cannot proceed
5 at this time.

6 The Finance Committee voted
7 unanimously 8-0-1 to recommend approval of
8 this article, and the Board of Selectmen
9 voted unanimously 4-0-0 to recommend
10 approval of this article.

11 MODERATOR AMY KULLAR: Thank you.
12 Anyone have any further discussion on this
13 article? Hearing none, we'll now move to a
14 vote on Article 10. This vote requires a
15 simple majority.

16 Using your handheld device, you
17 may begin voting now. Green for "Yes"; red
18 for "No."

19 (Voting in progress.)

20 MODERATOR AMY KULLAR: Voting is
21 now closed.

22 I declare the motion of the
23 Finance Committee has passed with 102 in
24 favor and two in opposition.

1 (Article 10 passed.)

2 **ARTICLE 13**

3 MODERATOR AMY KULLAR: The last
4 article is Article 13. Article 13 on page
5 22 of your handbook requires a two-thirds
6 majority vote. There are also supplementary
7 materials beginning page 44 of the Handbook
8 in regard to this article. Go ahead.

9 MR. DAVID O'CONNOR: I'm David
10 O'Connor of the Planning Board. This
11 article is to see if the Town will vote to
12 amend Section 3210 and Section 2888 of the
13 Bourne Zoning Bylaw as follows:

14 Amend Section 3210 General
15 Sign Law Regulations by inserting
16 subsection (i) in Section 2888 of
17 the Downtown District - Signs Not
18 Permitted.

19 The motion -- I'm sorry. On
20 September 8, 2022, in accordance with --

21 FINANCE CHAIR RENEE GRATIS: Madam
22 Moderator, he hasn't made his motion yet.

23 MODERATOR AMY KULLAR: Oh, we need
24 you to make your motion before you explain

1 it. Thank you.

2 DR. JAMES SULLIVAN: The motion:
3 We move that the Town vote to amend the
4 Bourne Zoning Bylaw Section 3210, General
5 Sign Law Regulations by inserting subsection
6 (i) and Section 2888 Downtown District -
7 Signs Not Permitted by inserting subsection
8 (e) and adding the letter "d" to the word
9 "cause" in the second line as follows:

10 Flag signs or fabric devices when
11 either is attached to curved plastic or
12 fiberglass poles that allow for movement or
13 swinging caused by wind or in a breeze,
14 commonly called "feather signs" are
15 prohibited.

16 Similarly, signs or devices that
17 consist of an inflatable stick figure
18 created from fabric tubing attached to a fan
19 that causes the figure to move in a
20 rhythmic, flailing motion commonly called
21 "sky dancers" or "tube men" are prohibited.
22 Those are illustrated on page 45.

23 CHAIR RENEE GRATIS: Hang on.

24 MS. AMANDA BONGIOVANNI: Second.

1 MODERATOR AMY KULLAR: Thank you.

2 MR. DAVID O'CONNOR: On September
3 8th in accordance with Mass. General Law
4 Chapter 40, Section 5, the Planning Board
5 conducted a Public Hearing to review Article
6 13 to amend Section 3210 General Sign
7 Regulations and Section 2888 Downtown
8 District - Signs Not Permitted.

9 It was published in the Cape Cod
10 Times on August 24, 2022, and on August 31,
11 2022.

12 On September 8, 2022, the
13 following eight Planning Board members were
14 present. Daniel Doucette, Elizabeth Brown,
15 Jeanne Azarowitz, Sandra Goldstein,
16 Christopher Farrell, John Carroll, Patricia
17 Nemeth, and Amanda Wing. There were four
18 members of the public present.

19 The Planning Board voted
20 unanimously 8-0 to recommend approval of
21 this article.

22 MODERATOR AMY KULLAR: Thank you.
23 I recognize Finance Committee Chair Renee
24 Gratis.

1 CHAIR RENEE GRATIS: Thank you,
2 Madam Moderator. So the proposed signs and
3 the tube men are visually depicted on page
4 45. So, if you want to know what "feather
5 signs" and "tube men" look like, I encourage
6 you to turn to that page.

7 I would like to remind everybody
8 that this ban will not only take place in
9 the Downtown District but across the Town of
10 Bourne as a whole.

11 When it came time for the Finance
12 Committee to take their final votes, I,
13 personally, stated my personal opinion as a
14 town resident that I opposed the sign ban,
15 but I voted in favor because I recognized
16 that the Planning Board crossed their I's
17 and dotted their T's. They held their
18 meetings. They held their public hearings,
19 and I felt like it was appropriate for this
20 article to be presented to the Town voters
21 for them to decide how they want the ban to
22 go.

23 A few other members of my
24 committee agreed with me. We had one

1 committee member who voted in opposition,
2 and he made a good point. He stated at the
3 aftermath of COVID shutdown, this is some
4 way to bring visualization to businesses
5 that might not have it. So when you're
6 driving by or walking by, you might be able
7 to see the feather signs or the tube men and
8 bring attention to that business. So, it's
9 up for the voters to decide this evening.

10 A "Yes" vote in favor of the
11 motion changes the Zoning Bylaw so that
12 certain types of signs are prohibited in all
13 zoning districts throughout the Town.

14 A "No" vote opposed to the motion
15 would maintain the status quo and not change
16 the Zoning Bylaw.

17 So, the Finance Committee final
18 vote was 6 in favor, 1 against, and 1
19 abstention to recommend approval of this
20 article, and the Board of Selectmen voted
21 unanimously 4-0 to recommend approval of
22 this article.

23 BOARD OF SELECTMEN: No. No.

24 MODERATOR AMY KULLAR: We have a

1 correction.

2 CHAIR RENEE GRATIS: Is it in the
3 vote?

4 SELECTBOARD CHAIR PETER MEIER: We
5 voted -- we voted not -- unanimous we did
6 not support the article.

7 CHAIR RENEE GRATIS: Hang on.

8 MODERATOR AMY KULLAR: The Select
9 Board voted unanimously not to support this
10 article; is that correct, Peter?

11 SELECTBOARD CHAIR PETER MEIER:
12 Yes.

13 MODERATOR AMY KULLAR: Thank you.

14 FINANCE CHAIR RENEE GRATIS: Oh,
15 thank you. I apologize.

16 MODERATOR AMY KULLAR: Nope, we
17 corrected it. Thank you. Is there any
18 further discussion on this Bylaw, I mean, on
19 this article, sorry. All right. We have
20 the whole Planning Board here. Okay.

21 MR. DAVE FERGUSON: I have a
22 question.

23 MODERATOR AMY KULLAR: We have
24 one. Sorry.

1 MR. DAVE FERGUSON: Dave Ferguson.
2 What difference does it make? Why does it
3 matter? Who cares?

4 MODERATOR AMY KULLAR: I do
5 believe the Planning Board will be able to
6 answer their motivation behind this article.

7 MR. DAVE O'CONNOR: This is a
8 matter of visual quality, reducing clutter
9 on some of the more important roads in Town.
10 This was actually suggested by a business
11 owner.

12 If you look at some of these
13 signs, you see their mostly attention-
14 getting devices. They don't provide any
15 useful information. Most businesses, all
16 businesses already have identifying signs
17 telling you the nature of the business or
18 what they're selling. These are primarily
19 brand names provided by the distributor, the
20 vendor, or it says "Sale." Most of the
21 businesses are not impulse buys. People
22 don't see a sign and say, "I think I'll buy
23 a car." They add visual clutter. They
24 distract from the experience, particularly

1 on MacArthur Boulevard and, certainly, in
2 the downtown.

3 MODERATOR AMY KULLAR: Thank you.

4 MR. DAVE FERGUSON: Thank you for
5 your answer.

6 MODERATOR AMY KULLAR: Thank you.
7 Any further questions or comments? I see
8 one in the back. You will have to come
9 down.

10 MS. CHARLOTTE GREEN: Hi. I'm
11 Charlotte Green, Bourne; I don't know if you
12 need that. Obviously, I live here because
13 I'm here. You mentioned that a business
14 owner brought this forward. I'm wondering
15 how many other businesses supported that or
16 what percentage of businesses in the Town
17 support this ban?

18 MR. DAVE O'CONNOR: It's not
19 available; I don't know.

20 MS. CHARLOTTE GREEN: Okay. So we
21 could be making this decision for everyone
22 based on one person?

23 MODERATOR AMY KULLAR: Did you
24 have Public Hearings?

1 MR. DAVE O'CONNOR: There was
2 Public Hearings, and it was voted --
3 supported by the Planning Board.

4 MS. CHARLOTTE GREEN: Okay.

5 MODERATOR AMY KULLAR: Do you have
6 anything further?

7 MS. CHARLOTTE GREEN: I mean, I
8 don't really care about a sign, personally.
9 (Laughter.)

10 MODERATOR AMY KULLAR: Thank you.

11 MS. CHARLOTTE GREEN: (Inaudible)
12 I'll say it.

13 MODERATOR AMY KULLAR: Please
14 speak into the microphone.

15 MS. CHARLOTTE GREEN: Thank you.
16 I will. I don't care one way or another for
17 the signs. I'm just wondering, you know,
18 what the consensus of the business owners
19 is, so that we can make sure we're
20 supporting everyone. Thank you.

21 MODERATOR AMY KULLAR: Thank you.

22 MS. JENNIFER KONO: Jennifer Kono
23 (phonetic). I'd like to know why the Board
24 of Selectmen doesn't want to support this.

1 MODERATOR AMY KULLAR: I recognize
2 MJ Mastrangelo.

3 MS. MARY MASTRANGELO: So, the
4 Board of Selectmen had really two reasons
5 for not supporting this. First, when it
6 came before the Board of Selectmen in the
7 first discussion, we were concerned about
8 the wording as being unclear because it
9 includes "flag signs," and we weren't sure
10 whether that would include, you know, open
11 for business.

12 We were assured that it didn't
13 include that, but the way that the wording
14 is, it's not clear from that even though
15 that's not in the pictures. So, the Board
16 of Selectmen felt that this should not go
17 forward as written and that some
18 clarification was needed.

19 I think there were also concerns
20 about the fact that there's, according to
21 what we were told at our meeting, there's
22 about 40 percent compliance with our current
23 regulations, and this is adding a whole
24 other layer of regulations, which may or not

1 be followed.

2 So having Zoning Bylaws that are
3 enforceable and can be enforced is really
4 important. Thank you.

5 MODERATOR AMY KULLAR: Thank you,
6 MJ.

7 MR. DAVE O'CONNOR: Yeah, two
8 comments. We took into account the comments
9 of the Select Board and clarified some of
10 the language. "Flag signs or fabric device
11 when either attached to a curved plastic
12 pole, when either is attached to a curved
13 plastic pole." So, if someone has a
14 perfectly legitimate sign on a pole outside
15 their business during business hours that
16 says "open" or "sale," that wouldn't affect
17 that, and that's required to be removed at
18 the end of the day.

19 In terms of enforcement, it's a
20 judgment call. If someone put up such a
21 sign for a church event that was up for a
22 weekend, it's a matter of judgment whether
23 you chase after something that's going to be
24 gone in 48 hours, or some sign that has been

1 up for six months through the winter and
2 looks pretty tatty as on the gateway to the
3 Town.

4 So, we try not to burden the
5 enforcement officer, who is also the
6 building inspector. So the Design Review
7 Committee sends out enforcement letters, and
8 we get about 40 percent compliance,
9 sometimes we sent out a second.

10 But what we're leaving is for the
11 Town to review a paper trail that we are
12 trying to bring some visual quality to the
13 downtown and the larger town. There are
14 lots of regulations that are hard to
15 enforce, and we think this is one that is
16 worthwhile to the extent that we can enforce
17 it without burdening the Zoning Enforcement
18 Officer, we think it's worth doing.

19 MODERATOR AMY KULLAR: Thank you.
20 Any further discussion?

21 MS. KARI MACRAE: Kari, Bourne.

22 MODERATOR AMY KULLAR: Can you
23 state your full name for the record. I'm
24 sorry.

1 MS. KARI MACRAE: Kari Macrae.

2 MODERATOR AMY KULLAR: Thank you.

3 MS. KARI MACRAE: I think that
4 it's kind of troubling that we're having
5 this type of regulatory discussion when
6 businesses right now are really struggling,
7 and we're just starting to get back up. So,
8 we have --

9 MODERATOR AMY KULLAR: Can you
10 speak to the Bylaw and what you're in
11 opposition or in favor of, please?

12 MS. KARI MACRAE: I'm for the
13 regulation.

14 MODERATOR AMY KULLAR: Okay.

15 MS. KARI MACRAE: Thanks.

16 MODERATOR AMY KULLAR: Thank you.

17 MR. DAVID O'CONNOR: One comment.
18 In the downtown, we allow in the Zoning Sign
19 Law, one sign to identify the building and,
20 perhaps, a window sign or a menu sign. Most
21 of these -- all of these signs that we tend
22 to see, the tube men and the flag signs,
23 don't add any information to the business
24 presentation, and that's what we're trying

1 to regulate.

2 MODERATOR AMY KULLAR: Thank you.
3 One more. Go ahead.

4 MS. SUE BARLOW: Hi. Sue Barlow
5 from Buzzards Bay. And, you know, there is
6 such a thing as sign pollution. They're
7 distracting, these waving signs. A lot of
8 them are just for like, you know, a product
9 like Coca-Cola or, you know, some vitamin
10 drink. They also get kind of nasty looking
11 when they've been out for a while. They get
12 kind of faded and unattractive. And, I
13 think, you know, we just want our Town to be
14 as attractive as possible. So, I think
15 that's a good point; they don't really add
16 much. Thank you.

17 MODERATOR AMY KULLAR: Thank you.
18 Any further discussion? Last chance on
19 Article 13. All right. Seeing none.

20 We will now move to a vote on
21 Article 13. As this is a Zoning Bylaw, it
22 requires a two-thirds majority.

23 Using your handheld device, you
24 may begin voting now.

1 (Voting in progress.)

2 MODERATOR AMY KULLAR: Voting is
3 now closed.

4 I declare the motion of the
5 Planning Board has failed, only 50 in favor
6 and 57 in opposition.

7 (Article 15 failed.)

8 MODERATOR AMY KULLAR: Okay. Is
9 there any other business to come before the
10 Special Town Meeting?

11 SELECTBOARD CHAIR PETER MEIER:
12 Motion to dissolve.

13 MS. AMANDA BONGIOVANNI: Second.

14 SELECTBOARD CHAIR PETER MEIER:
15 Hearing none. I'm entertaining a motion by
16 Peter Meier, seconded by Amanda Bongiovanni
17 to dissolve the Special Town Meeting. We
18 have a motion and a second. All those in
19 favor of dissolving the Special Town
20 Meeting, please signify by "Aye."

21 THE AUDIENCE: Aye.

22 MODERATOR AMY KULLAR: Anyone
23 opposed? I declare the Special Town Meeting
24 dissolved.

1 (Whereupon, the Bourne
2 Special and Annual Town Meeting
3 was moved and seconded to adjourn
4 at 9:01 p.m.)

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF BARNSTABLE, SS

I, Linda L. Wesson, a Certified Verbatim Reporter, Approved Court Transcriber, and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing volume is a true and accurate transcript, prepared to the best of my ability, of the Special Town Meeting, which was held on Monday, October 24, 2022, at 7:00 p.m., at the Bourne High School Auditorium, 75 Waterhouse Road, Bourne, Massachusetts, 02532.

10/30/2022

Date



Linda L. Wesson, CVR

Notary Public

My Commission Expires: May 18, 2029

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